

1 THE HONORABLE BRIAN A. TSUCHIDA  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON

9 UNITED STATES OF AMERICA,  
10 Plaintiff,  
11 v.  
12 JONATHAN M. LOVE,  
13 Defendant.

No. CR 16-0005 BAT

**MOTION FOR RETURN OF  
PASSPORT**

**NOTE FOR MOTION  
CALENDAR: DECEMBER 2,  
2016**

15 **I. INTRODUCTION**

16 Defendant Jonathan M. Love, through counsel, brings this motion to request his passport  
17 be returned to counsel, rather than be forwarded to the Department of State, as proposed in the  
18 Notice of Intent to Forward Passport. *See* Dkt. # 21.

19 **II. PROCEDURAL HISTORY**

20 On January 15, 2016, Mr. Love pleaded guilty to a gross misdemeanor. *See* Dkt. # 6.  
21 The same day, Mr. Love also surrendered his United States passport as directed by the Court  
22 pursuant to a special condition of the Appearance Bond. *See* Dkt. # 8 and 9. Mr. Love was  
23 sentenced by the Court on April 20, 2016. *See* Dkt. # 16. On October 26, 2016, the Court  
24 modified the conditions of Mr. Love's supervision, with his consent, to relocate his supervision  
25 to the District of Oregon. *See* Dkt. # 19.

27 Mr. Love has completed his 30-day custodial confinement (*see* Dkt. # 16), and his period  
28 of one year of supervised release began on June 22, 2016 (*see* Dkt. # 19). He has paid his

1 restitution in full. *See* Dkt. # 19.

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### III. ARGUMENT

3 Longstanding practice in this District has been to return United States passports to  
4 defense counsel upon self-surrender. Only recently has this District implemented a policy of  
5 forwarding United States passports to the Department of State, where they will be destroyed.  
6 There is nothing about Mr. Love or about this case that merits the destruction of his passport  
7 rather than return of that document to defense counsel. Mr. Love is not a flight risk, has  
8 completed his time in custody, and has already fulfilled his financial obligations. *See* Dkt. # 19.  
9 While Mr. Love might be able to obtain a new passport upon release, it would require additional  
10 expense, time, and effort, not only on his part, but also on the part of the government to process  
11 that request and to issue a new passport.

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13 Mr. Love accepted responsibility for his actions in this matter and has complied with  
14 every condition placed upon him throughout this process. We notified government counsel,  
15 AUSA Mathew Diggs, of this request and received no objection.

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### IV. CONCLUSION

17 We respectfully request the Court to order that Mr. Love's passport be returned to  
18 defense counsel, that it not be forwarded to the Department of State for destruction, and that  
19 defense counsel be authorized to provide Mr. Love with his passport once he has completed his  
20 term of supervised release. We have prepared a proposed Order for the Court's consideration.

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2 DATED November 21, 2016.  
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**McKAY CHADWELL, PLLC**

s/ Robert G. Chadwell

s/ Thomas M. Brennan

Robert G. Chadwell, WSBA No. 22683

Thomas M. Brennan, WSBA No. 30662

Attorneys for Jonathan Love

600 University Street, Suite 1601

Seattle, WA 98101-4124

Phone: (206) 233-2800

Fax: (206) 233-2809

Email: rgc1@mckay-chadwell.com

tmb@mckay-chadwell.com